

# Pacific Commercial Advertiser

A MORNING PAPER.

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EDITOR

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## LEGISLATURE AND PAY.

The shock of the suggestion that the members of the legislature should meet and discuss amendments to the land laws of the Territory without pay was too much for the afternoon papers yesterday.

The Star immediately demanded to know why, and asked: "What other government employee does?" although if our contemporary would think for a moment it would recollect that a great many of the busiest men in the Territory serve the public in places of great responsibility without pay. There is no record that the members of the various boards of license commissioners are paid for the time and worry they put in. The members of the board of public instruction come to Honolulu and give their time gratis to the public. The members of the board of agriculture and forestry receive no pay, and there are many others whose time is quite as valuable as that of the ordinary member of the legislature.

So much for the Star.

The Bulletin, whose mind runs on "strings" and "friends" in control, immediately seizes a scheme whereby the members of the legislature are to be controlled.

There is no occasion to make any reply to this, which begins and ends in the Bulletin office.

The idea of suggesting that the members of the legislature should agree to forego the sessional indemnity came from the Territorial Republican committee, the thought being that this Territory, through its elected representatives, could show Congress that there was here more of an inclination to help the progress of the Territory than had been given credit for. Congress has been afraid of the great aloha they had heard the average member of the legislature had for the loaves and the fishes, so afraid that when the Federal appropriation to help the legislative expenses of Hawaii was passed it was passed with a proviso that none of it could be spent if any extra session was held.

The leading Republicans feared that Congress might regard a special session so soon after the regular one as somewhat in the light of a breach of confidence, although if there should be any special session it would be through no fault of the legislature. It was to avoid the very appearance of grab, however, that the suggestion was thrown out.

## CONSUMPTION AND EXPORTATION OF FOODSTUFFS.

Recent discussions regarding the apparent decline in the exportation of foodstuffs from the United States and the increasing share of its foodstuffs required by its own population lend interest to a statement just prepared by the Bureau of Statistics of the Department of Commerce and Labor showing the share of the wheat and corn crops exported and retained for consumption, respectively, and the quantity of meats and food animals exported during a term of years, the record having been brought down to the end of the fiscal year 1909.

These figures of the Bureau of Statistics make it apparent that the share exported of the wheat and corn crops of the United States has been materially less since 1903 than at any time during the twenty years immediately preceding that date. In the twenty-year period from 1883 to 1903 the share of the wheat crop exported ranged from 40 per cent. downward, on only two occasions falling below 26 per cent. In 1904, however, the share of the wheat crop exported was but 19 per cent.; in 1905, 8 per cent.; in 1906, 14 per cent.; in 1907, 20 per cent.; and in 1909, 17 per cent., these figures showing in each case the percentage which the exports of the fiscal year bore to the crop of the calendar year immediately preceding. The figures of 1909 show 114 million bushels of wheat, including flour in terms of wheat, exported in the fiscal year (ending June 30), and this exportation in the twelve months ending June 30 is compared with the crop of the calendar year 1908. As to the production itself, the figures utilized by the bureau (those of the Department of Agriculture) indicate that there is no material decline in quantity produced, but that the decrease in exportation is growing more rapidly than production. The crop of 1908 is given at 665 million bushels, and has only been exceeded on five occasions in the history of the country, while the exportation in the fiscal year following the production of this 665 million bushels was but 114 million bushels, a figure less than in any year from 1891 to the present time, with the exceptions of 1905 and 1906.

In scarcely any of the important articles of foodstuffs are the figures of export values as high in 1909 as in immediately preceding years, although the prices per unit of quantity are, in most cases, higher in 1909 than in earlier years. The value of corn exports in 1909 was but 25 million dollars, against 34 millions in the immediately preceding year; of wheat, 68 million dollars, against 100 millions in the immediately preceding year; of flour, 51 millions in 1909, against 64 millions in 1908; of cattle, 18 millions in 1909, against 29 millions in 1908; and in nearly all articles of meats and in the total of meat and dairy products the figures of 1909 are, as already indicated, below those of the immediately preceding year or of the annual average of a brief term of years immediately preceding. The total value of all foodstuffs (including food animals) exported in the fiscal year 1909 was but 438 million dollars, against 521 millions in 1908, 583 millions in 1901, and 590 millions in 1898.

## FLORAL PARADE AND BUSINESS.

It is not too early to commence preparations for the next Floral Parade, which should be something as much better than those gone before as the city is better in every way than it was on Washington's Birthday for the past four years.

We are inclined to believe that Honolulu does not as yet appreciate what it has in the annual Floral Parade, the fame of which has gone abroad and which could be, with a little concerted effort on the part of the citizens, made one of the great annual fetes of the world.

From a feeling of civic pride, as well as from the fact that our annual fete can be made of great commercial benefit, the citizens should help the Promotion Committee in this matter.

A feature of the coming festival, to which as yet little attention has been paid, is that of the street carnival in the evening. A start was made last year, and, while no great success was met with, there was interest enough manifested at the last moment to show what could be done. It is the hope of the Floral Parade promoters that the Elks' Lodge can see its way clear to looking after this part of the program on February 22. That lodge has a membership of the right kind of young men to take hold of such an affair and make the possible from it.

## A BIT OF GOOD ADVICE.

The advice given to the members of the Alewa Heights improvement club by their president, Frank D. Crendon, at the annual meeting on Thursday evening, might well be considered by the members of all the other improvement clubs in the city, and, in a general way, by the people of the whole Territory. This is what Mr. Crendon said:

"I would particularly impress upon you the importance of having a live and hustling improvement club, in which all the residents take an active interest. Many benefits can be obtained through united efforts that could not be secured through individual action. The tendency is for each section to lose interest as it has its wants satisfied, but this should be guarded against, for what benefits one benefits all, and an improvement in one part is bound to advance, either directly or indirectly, the interests of the whole tract. Take a broad view of these things, get together in the club and talk them over, and, having decided one way or the other, get behind your decision and see that it goes through, if possible."

## PUBLICITY A BENEFIT.

Publicity is the greatest danger to vice, to public evils, to graft, and to all wrongdoing. Hence it follows that to prevent publicity the enemies of the common good should condemn it. Honolulu has had a fair sample of this during the week, with the organ of the liquor interests fearful lest the truth should hurt the town, drive the naval vessels away from the port, or prevent the tourists from coming. In the same fearful manner, it will be remembered, the same organ objected to attention being called to the lack of steamship facilities for our tourist trade, lest the publicity should also hurt the town.

It is not so much that publicity given to these things will injure Honolulu as it is that the publicity will injure the interests responsible for them that agitates the Bulletin.

## TWENTY-PAGE EDITION.

To meet a growth in the demand for advertising space in the Sunday Advertiser, the issue tomorrow will be of twenty pages, the largest regular paper ever issued in Honolulu. The edition will meet, to a certain extent, the desires of the publishers, being more of a local edition than any heretofore attempted. There will be a special illustrated story on "How Honolulu Police Work," and another illustrated interview with one of Honolulu's best known public men. Mr. Dooley has his say concerning the stir among the Republicans, and The Bystander undertakes to tell what tourists see in the city that they don't tell about in promotion interviews. The society news of the week is covered fully, the commercial columns summarize the events of a busy business week, and there will be many new pictures, including the first one ever shown here of the new Matson steamship *Wilhelmina*.

## WHAT IS AN ORIGINAL PACKAGE?

(Continued From Page One.)

In San Francisco, Tai Hing Lung & Company. The tin was packed with twenty others in a small tin box.

## Douthitt's Argument.

E. A. Douthitt, attorney for the defendant, presents the view that the five-leaf tin, and not the tin containing the twenty-one five-leaf tins, was the original package, and he presented to the Supreme Court an elaborate and well-worked out argument and brief in support of his contention. He claims, that the section of the territorial laws for violation of which the defendant was prosecuted is not applicable to the sale of a five-leaf tin, for the reason that the opium sold by Lam Yip Kee was, at the time of the sale, in his possession as an importer in the original package and was protected from territorial statutes by virtue of the interstate commerce clause in the Constitution.

The defense concedes that when the opium was sold in California by the original importer, Playfair, it became subject to the laws of California. But when it was imported from San Francisco into Honolulu, it became an article of interstate rather than foreign commerce and the defendant was, therefore, given the same rights with regard to the opium as were enjoyed by Playfair, the original importer. The rights of the defendant, it is claimed, are therefore measured by the famous decision of the United States Supreme Court in the case of *Leisy versus Hardin*, the gist of which is that the right of transportation of an article of commerce from one state to another includes the right of the consignee to sell it in the original unbroken package at the place where the transportation terminates.

## The Principal Question.

The principal question to be decided in the case, therefore, is whether or not the five-leaf tin of opium in question is the original package. If it is, then, the territorial statutes can have no application. Mr. Douthitt claims that it is an original package. Mr. Milverton, on the other hand, claims that the twenty-tin box was the original package.

The defense relies upon Article 211 of the customs regulations of 1908, which provides that each package of opium must state on the outside the size and weight of the package, the date of import, the name of the importer, the name of the vessel on which it was imported, and the date of entry, and must bear on its face a stamp having on it the words, "Customs paid." These stamps may be obtained only through special requisition to the Treasury department.

All these regulations have been complied with in the case of the tin of opium for the sale of which Lam Yip Kee was arrested. Mr. Douthitt's lengthy brief goes very fully into the subject and cites every decision in the law books applicable to the case.

## Much Opium in Honolulu.

It is known that there is a great amount of opium in the original five-leaf packages in Honolulu. If the Supreme Court holds that a five-leaf tin is not an original package, then it is illegal to sell these packages. But if the decision is the other way, then their sale is legal and the efforts of the territorial authorities to suppress the sale of opium in such quantities must cease. The matter is, therefore, a very important one, and several hundred thousand dollars are involved.

## GRAND CLEARANCE SALE

—of—

## MILLINERY

Next Monday, October 11th, at 8 a. m., we will place on sale all that's left of our Spring Stock of

TRIMMED HATS,  
UNTRIMMED SHAPES,  
SAILORS  
AND FLOWERS.

Note these prices:  
TRIMMED HATS, \$5.00, \$1 and \$2 each.  
UNTRIMMED, 10c to \$1 each.

See Our Window Display.

# Ehlers

## TELEPHONE WORK WILL BE PUSHED

(Continued From Page One.)

conduit. A leak in a gas main may flood the duct with gas; a careless workman goes down into a manhole with a cigarette; bang, and \$1000 worth of conduit and concrete go up in dust!

The laying of gas mains, sewer lines and water pipe also constitutes a menace to the duct. A pick driven through a section of conduit may cause trouble which can only be located with the greatest of difficulty and the repairs may run into the hundreds of dollars.

The moving of conduit to make way for sewer main and storm drains means heavy outlay. A duct cannot be bent down under another pipe-line, for upon just such engineering rocks have many underground telephone systems come to grief. Where an elevation has to be changed, the alteration must be made from manhole to manhole. A sag in the conduit furnishes a pocket in which water collects and the result is ruin and disaster.

## DANGER!!

City Water is Impure!

# DRINK Tansan WATER

5c

Large Glass



Hollister  
Drug  
Company



## WHEN BUYING A WATCH

GET THE BEST

One that meets every demand of perfect service—one that combines perfection in the works, style and character in the case—to satisfy and please individual taste and requirements.

Our watches we recommend to you.

H. F. Wichman & Co.  
—LIMITED—  
LEADING JEWELERS

## You Could

Use a charcoal iron or an ordinary flat iron heated over a fire

## But You Wouldn't

If you had ever tried an electric iron.

THE HAWAIIAN ELECTRIC CO., LTD.

## Summer Weather

creates a demand for toilet waters and perfumes.

## Hudnuts

are used by particular persons because they are delicate and dainty. Our supply is large.

# Benson, Smith & Co., Ltd.

Fort and Hotel Streets.

## You Are Looking for an Office!

Then you should inspect those in the

## Boston and Judd Buildings

Nothing finer in Honolulu for accessibility, convenience and surroundings. Thoroughly up-to-date and service first-class in all particulars.

REAL ESTATE DEPARTMENT

Hawaiian Trust Co., Ltd.  
923 FORT STREET

## The Yokohama Specie Bank, Ltd.

Capital (Paid up).....Yen 24,000,000  
Reserve Fund.....Yen 15,940,000

### HEAD OFFICE, YOKOHAMA.

The bank buys and receives for collection bills of exchange, issues Drafts and Letters of Credit, and transacts a general banking business. The Bank receives Local Deposits and Head Office Deposits for fixed periods.

Local Deposits \$25 and upwards for one year at rate of 4% per annum.

Head Office Deposits Yen 25 and upwards for one-half year, one year, two years or three years at rate of 5 1/4% per annum.

Particulars to be obtained on application.

Honolulu Office—67 S. King Street.  
P. O. Box 168.

M. TOKIEDA, Manager.

## TRAVELERS' CHEQUES.

Skillfully and elaborately engraved. The American Bankers Association Travelers' Cheques are counterfeited proof and the safest foreign exchange on the market.

If you are about to take a trip put your funds in the Travelers' Cheques issued by the American Bankers Association and for sale in this Territory by the

Bank of Hawaii, Ltd.

Capital and Surplus \$1,000,000.00.

## SHEBA

will soon be at the helm which steers the policy of the leading Japanese newspaper of the Territory. His policy and course has been endorsed by the best Japanese people as is shown by the tremendous increase in the circulation of the SHINPO. If you are not a subscriber for the use of your employees better enter your name today.

## HAWAII SHINPO

Smith St., Between King and Hotel

## Prosperity

comes to those who pay close attention to investments, the collection of interest, rents, etc.

The average man has little time for these things, but can have the services of this trust company for a small percentage of the receipts.

## BISHOP TRUST CO., Ltd.

BETHEL STREET.

## Consult Us for Advertising Ideas

THE CHAS. R. FRAZIER CO.  
122 KING ST. Phone 371

## An Expert Mixer

from the Coast is now employed at the Soda Fountain in the Alexander Young

## CAFE

Open from 6 a. m. to 11:30 p. m.

Sunday Advertiser